

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

RANDY HERMAN,

Plaintiff,

v.

LACKAWANNA COUNTY, *et al.*,

Defendants.

CIVIL ACTION NO. 3:CV-13-1697

(JUDGE CAPUTO)

(MAGISTRATE JUDGE CARLSON)

**ORDER**

**NOW**, this 12<sup>th</sup> day of August, 2013, **IT IS HEREBY ORDERED** that:

- (1) The Motion for Leave to Proceed *In Forma Pauperis* (Doc. 2) is **GRANTED**.
- (2) The Report and Recommendation (Doc. 5) is **ADOPTED**. Plaintiff's Complaint is **DISMISSED**. Plaintiff has **forty-five (45) days** from the date of entry of this Order to file a single comprehensive amended complaint consistent with the Report and Recommendation. If Plaintiff fails to do so, the action will be dismissed with prejudice and the case will be closed.
- (3) Plaintiff's Motion to Extend Time (Doc. 6) is **DENIED as moot**.
- (4) Plaintiff's Motion for Appointment of Counsel (Doc. 7) is **DENIED without prejudice**.
- (5) The matter is **RECOMMITTED** to Magistrate Judge Carlson.

/s/ A. Richard Caputo  
A. Richard Caputo  
United States District Judge